

1617

Docket No. MCP-233

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: DARTEY et al.

Serial No.: 09/461,887

Art Unit: 1617

Filed: 12/15/99

Examiner: Wang

For: LONG CHAIN ALCOHOLS PROVIDED IN EDIBLE OILS

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on

January 2, 2001

(Date of Deposit)

Timothy E. Tracy

(Name of applicant, assignee, or Registered Representative)


(Signature)

January 2, 2001

(Date of Signature)

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

The shortened statutory period for responding to the December 4, 2000 Office Action ends on January 4, 2001. Accordingly, this response is filed timely upon mailing with an executed certificate of mailing on or before January 4, 2001. 37 CFR § 1.8.

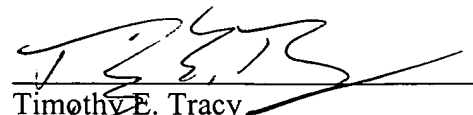
On page 2 of the December 4, 2000 Office Action, the Examiner issued a two-way restriction requirement pursuant to 35 USC §121. The restriction divided the claims into the following allegedly distinct inventions: Group I drawn to "a fatty alcohol containing edible oil compositions and the process of making the same" containing claims 1-19 and Group II drawn to "a method of reducing cholesterol" containing claims 20-22. (Paper No. 4 at 2).

In issuing the restriction requirement, the Examiner asserts that "the process as claimed can be practiced with another materially different product such as cholestyramine." The Examiner concludes that "[b]ecause these inventions are distinct ... restriction for examination purposes as indicated is proper."

In accordance with restriction practice, the subject matter of claims 1-19 (Group I) is hereby elected for prosecution without traverse.

If the Examiner has any questions regarding this paper, please contact the undersigned.

Respectfully submitted,



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